

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 4650 OF 2021  
IN  
FIRST APPEAL NO. 3139 OF 2018**

Dilip Parshuram Gund

..APPLICANT

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. L.R. Thakur, Advocate h/f Mr. L.C. Patil, Advocate for applicant

Mr. P.M. Kulkarni, A.G.P. for respondent – State

Mr. P.S. Patil, Advocate for respondent no.3

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**CORAM : R.G. AVACHAT, J.**

**DATED : 16<sup>th</sup> JULY, 2021**

**PER COURT :**

1. Heard.

2. Learned A.G.P. and learned counsel for the respondent has strong objection to permit withdrawal of 100% of the amount under award. In connected matters this Court has permitted withdrawal of 75% of the amount. In view of same, following order is passed :-

**ORDER**

(I) Civil application is partly allowed.

(II) The applicant is permitted to withdraw 50% of the deposited amount under award, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(III) The applicant is also permitted to withdraw further 25% of the amount on submitting solvent surety/security/bank guaranty in the like amount.

(IV) Balance 25% amount be invested in fixed deposit in any nationalised bank for the period till disposal of appeal.

(V) Civil application stands disposed of accordingly.

**( R.G. AVACHAT, J. )**

SSD